

**Notice of Allowability**

Application No.

09/990,047

Applicant(s)

PETER ET AL.

Examiner

Patrick J. Lee

Art Unit

2878

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed 11/20/2001.
2. ☒ The allowed claim(s) is/are 1-5 and 7-15.
3. ☒ The drawings filed on 20 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
(a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.  
(b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.  
(c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1 ☒ Notice of References Cited (PTO-892)  
2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. \_\_\_\_\_  
4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  
5 ☐ Notice of Informal Patent Application (PTO-152)  
6 ☒ Interview Summary (PTO-413), Paper No. 1103  
7 ☐ Examiner's Amendment/Comment  
8 ☒ Examiner's Statement of Reasons for Allowance  
9 ☐ Other

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence P. Kessler on November 5<sup>th</sup>, 2003 and facsimile transmittal on November 6<sup>th</sup>, 2003.

The application has been amended as follows:

Cancel claims 6 and 16.

In line 2 of claim 1, "comprising at least" should read "comprising: at least".

In line 3 of claim 4, ".range." should read "range."

In line 1 of claim 5, "one of the Claims 1 to 4" should read "Claim 1" and in line 2 of the same claim, "angle positions angle positions" should read "angle positions".

In line 1 of claim 7, "Claim 5 or 6" should read, "Claim 5" and in line 2 of the same claim, "that that" should read "that".

In line 1 of claim 8, "one of the Claims 2 to 7" should be changed to read "Claim 2".

In line 1 of claim 9, "one of the Claims 1 to 8" should read "Claim 8".

In line 1 of claim 10, "one of the Claims 1 to 9" should read "Claim 9".

In line 1 of claim 11, "one of the Claims 5 to 10" should read "Claim 10".

In line 1 of claim 12, "one of the Claims 1 to 11" should read "Claim 1".

In line 1 of claim 13, "one of the Claims 1 to 11" should read "Claim 1".

In line 1 of claim 14, "one of the Claims 1 to 11" should read "Claim 1".

In lines 1-2 of claim 15, "the Claims 1 to 14" should read "Claim 1".

***Allowable Subject Matter***

2. Claims 1-5 & 7-15 are allowable over the prior art.
3. The following is an examiner's statement of reasons for allowance:

With respect to claim 1, Okada et al 5,107, 131 disclose an apparatus for detecting the edge of a transparent film, the apparatus comprising a light source (1), a first polarization filter (2), a second polarization filter (4), and a detector (7) in the form of a camera. However, Okada et al does not disclose nor suggest that the apparatus be configured so that a plurality of angles between the transmission axis of the first polarization filter and the optical axis of the transparent material is possible. As a result, independent claim 1 and dependent claims 2-5 & 7-15 are allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hess et al 5,666,199 disclose an apparatus for detecting defects in a gel sheet.

Haque et al 6,175,419 B1 disclose a light sensor for a web-guiding apparatus.

Luxem et al 6,521,905 B1 disclose an apparatus for detecting the position of a transparent moving conveyor belt.

Miura 6,201,603 B1 disclose a position detecting apparatus for a semiconductor wafer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Lee whose telephone number is (703) 305-3871. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Porta can be reached on (703) 308-4852. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-9558.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Patrick J. Lee  
Examiner  
Art Unit 2878

PJL  
November 6<sup>th</sup>, 2003

  
DAVID PORTA  
SUPERVISOR  
TECHNICAL STAFF